

TITLE 83: PUBLIC UTILITIES  
CHAPTER I: ILLINOIS COMMERCE COMMISSION  
SUBCHAPTER c: ELECTRIC UTILITIES

PART 453  
INTERNET ENROLLMENT RULES

Section	
453.10	Definitions
453.20	Criteria by Which to Judge the Validity of an Electronic Signature
453.30	Method by Which the Authenticity of Electronic Signatures May Be Proven
453.40	Additional Requirements for an Electronic LOA

AUTHORITY: Implementing and authorized by Article XVI of the Public Utilities Act [220 ILCS 5/Art. XVI] and implementing and authorized by Section 2EE of the Consumer Fraud and Deceptive Business Practices Act [815 ILCS 505/2EE].

SOURCE: Adopted at 27 Ill. Reg. 9013, effective July 1, 2003; amended at \_\_\_ Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 453.40 Additional Requirements for an Electronic LOA**

- a) In addition to the information and structure set out for a LOA in 815 ILCS 505/2EE, by virtue of being in electronic form, an electronic LOA must provide the following additional information:
  - 1) The means by which any future correspondence between the customer and RES will be sent;
  - 2) Whether the customer has the option to receive correspondence via the United States Postal Service or electronic means; and
  - 3) That the customer may opt to receive a written copy of the contract; ~~and~~
  - 4) ~~A conspicuous statement, within the body of the electronic version of the contract, that residential customers may cancel the enrollment within 3 business days after the Internet enrollment.~~
- b) In addition to the procedures set out for a RES in Section 2EE of the Consumer Fraud and Deceptive Business Practices Act [815 ILCS 505/2EE], the RES also must abide by the following procedures when utilizing electronic LOAs:
  - 1) Ensure that the customer provides all information necessary to complete the electronic LOA through a securely encrypted input procedure that meets or exceeds current industry practices;

- 2) Ensure that the customer indicates by a separate affirmative act that it has the authority to execute the electronic LOA;
  - 3) Ensure that the customer indicates by a separate affirmative act that it understands and assents to the LOA;
  - 4) Include a version number in the body of the electronic LOA in order to permit verification of the particular LOA to which the customer assents;
  - 5) Prompt the customer to print or save a copy of the electronic LOA;
  - 6) Immediately send a message to the customer's registered e-mail account acknowledging receipt of the electronic LOA;
  - 7) Retain the electronic LOA for a period of at least five years after execution; and
  - 8) Provide a written and/or electronic copy of the LOA to the Commission or its Staff, the customer, or the customer's incumbent RES upon request.
- c) In the event of any conflict between this Section and the requirements for RESs and LOAs provided in electric utility tariffs on file with the Commission as of the effective date of this Part, this Section shall control.

(Source: Amended at \_\_ Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)